

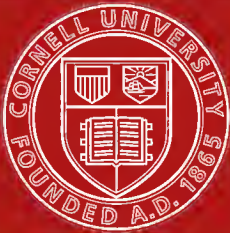
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ACTS



RESPECTING

Agricultural Societies

Horticultural Societies

Agricultural Associations

IN THE

Province of Ontario.

2nd SESSION, 11th LEGISLATURE, 6 EDWARD VII., 1906.

AS REVISED IN 1907 AND 1908.

(PUBLISHED BY THE ONTARIO DEPARTMENT OF AGRICULTURE.)



TORONTO :

Printed and Published by L. K. CAMERON, Printer to the King's Most Excellent Majesty.
1908.

An Act respecting Agricultural Societies.

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Agricultural Societies Act*. Short Title.

2. In the construction of this Act;

Interpretation.

(1) "Department" shall mean "The Department of Agriculture"; Department.

(2) "Minister" shall mean "The Minister of Agriculture for the Province of Ontario"; Minister.

(3) "Superintendent" shall mean "The Superintendent of Agricultural Societies"; Superintendent.

(4) "Society" shall mean any agricultural society formed under this or any previous Agriculture and Arts Act. Society.

3. All agricultural societies organized under *The Agriculture and Arts Act*, shall be continued except in so far as they may be altered or affected by this Act. Societies continued.

4. The Minister may decide all matters of doubt or dispute as to the working or construction of this Act, and his decision shall be final, except that an appeal therefrom may be made to the Lieutenant-Governor in Council. Minister to decide questions arising under Act.

5. The Minister may appoint any person or persons to inspect the books and accounts of any society in the Province receiving Government aid, under or by virtue of this Act, and may empower such person to summon witnesses and enforce the production of documents before him, and to take evidence upon oath in regard to such inspection; and all officers of any such society, whenever required so to do, shall submit the books and accounts thereof to such inspection, and shall truly to the best of their knowledge answer all questions put to them in relation thereto, or to the funds of such society. Inspection.

6.—(1) Subject to the provisions of the following subsection, an agricultural society hereafter may be organized in any section of the Province. Organization.

(2) An Agricultural society, hereafter, shall not be organized within 20 miles of an existing society, organized under this Act, or under any former Agricultural and Arts Act, unless the physical conditions of the adjoining country, are such that the organization of such society will not injuriously affect the Limitation as to distance from nearest society.

(3) Application for permission to organize a new society at a specified point, that is within 20 miles of the headquarters of an existing society, shall be made in writing to the Minister, and shall set forth clearly and fully the facts of the situation, and shall be signed by at least sixty of the persons desirous of forming such society, except in judicial districts or unorganized counties, where the number shall be at least 40. Upon receipt of such Application for permission to organize within 20 miles of another society.

Arbitration.

application the Minister shall instruct the Superintendent to confer with, and if necessary to call a special meeting of the officers of the existing society whose headquarters are at the point nearest to the point at which it is proposed to form a new society, at which meeting said officers, by resolution, shall place themselves on record as being in favour of or opposed to the granting of said application. Should said resolution favour the granting of said application, then the Minister may, through Order-in-Council, grant permission for the formation of said society. When opposition is expressed to the granting of said application, the Superintendent shall call upon the interested existing society, and upon the petitioners to appoint one arbitrator each, and said two arbitrators shall appoint a third arbitrator, and these three arbitrators, thus chosen, shall consider the granting of said application, and make a recommendation on same to the Minister.

When Minister may decide.

(4) If either the signers of the petition or the officers of the interested existing society refuse to appoint an arbitrator, then the Minister may grant or refuse the application of the signers, as he may deem best.

Deposit to cover expenses.

(5) The parties concerned in all such disputes shall deposit with the Department such moneys as may be required to pay all expense connected therewith, such payment to be made according to the decision of the arbitrators, or a majority of them.

7. The mode or organization shall be as follows:—

Mode of organization. Declaration of membership.

(a) A declaration in the form of Schedule A to this Act shall be signed by persons (residing within ten miles of the point designated as the headquarters of the society) desiring to organize a society under this Act. The number of such persons shall be at least 60, except in the case of societies organized in judicial districts and unorganized counties, where the number shall be at least 40.

Qualification of members.

(b) No person shall be considered a member of any society for any year unless he shall have paid at least one dollar into the funds of that society as membership fee for that year.

Firms and companies may be members.

(c) Subject to the by-laws of the society, a firm or an incorporated company may become a member of any society incorporated under this Act by the payment of the regular fee, but the name of one person only shall in any one year be entered as the representative or agent of such firm or company, and that person only shall exercise the privileges of membership in the society.

Transmitting declaration to Minister.

(d) Within one month after the money has been so paid the said declaration, with the names and addresses of the signers of same, shall be transmitted to the Minister, who shall thereupon authorize a person to call the first meeting for the organization of the society.

First meeting.

(e) The first meeting of the society shall be held during the third week of January next ensuing, at the point designated as the headquarters of the society, of which meeting at least two weeks' public notice shall be given by advertisement in one or more newspapers published in the district, and also by printed placards or bills posted in local places of common resort.

- (f) At the said first meeting, and at any subsequent meetings Quorum. of any agricultural society ten members shall constitute a quorum.
- (g) —(i) At the said first meeting there shall be elected a Election of officers. president, a first vice-president, a second vice-president, and not more than nine other directors, who shall be duly qualified members of the society, or who must become so within 14 days after their election, and who, together shall form the board of directors, a majority of which board shall reside within ten miles of the place designated as the headquarters of the society. At the said first meeting the society shall appoint two auditors for the ensuing year.
- (ii) On petition of any society the Minister may authorize the Directors. society to elect not more than six persons to act as directors, in addition to those already provided for.
- (iii) Societies may appoint not more than six honorary directors, Honorary directors. but such directors shall not have the right to vote or take part in meetings of the board of directors.
- (h) The board of directors from among themselves or otherwise, shall appoint a secretary and a treasurer, or a secretary-treasurer, who shall remain in office during pleasure. The secretary or the secretary-treasurer, by virtue of his office, shall be a member of each committee appointed, and may be given the power of managing director, acting under the control and with the approval of the board of directors. Secretary and treasurer.
- (i) The board of directors, from among themselves, may appoint an executive committee of not more than five Executive committee. members, to whom it may designate such duties as it, by resolution, may specify.
- (j) A report of the organization meeting, certified by the president, the secretary and the convenor, and containing Report of organization meeting to be sent to Department. a statement of the number of members and a list of the officers elected and appointed, shall be sent to the Department within one week after the holding of the meeting.
- 8.—(a) Upon the receipt of such report the society so organized shall be deemed an agricultural society, within the meaning of this Act, and shall bear the name designated in the declaration as the headquarters of the society, or by such name as may be determined by the members and approved by the Minister. Society when organized to be deemed an agricultural society.
- (b) For the purpose of this Act, the headquarters of any society organized under any previous Agriculture and Arts Act shall be the place at which the society held its last annual exhibition, or which it has designated by by-law or resolution, at a meeting duly called for the purpose, as its headquarters or place of holding its exhibition, a certified copy of which by-law or resolution shall be forwarded to the Department and the said society shall hereafter be designated by the name of the said place, or by such name as may be determined by the members and approved by the Minister. Head quarters of society.

Objects of societies.

9.—(1) The objects of agricultural societies shall be to promote improvement in agriculture, horticulture, arboriculture, domestic industry, manufactures and the useful arts;

- (a) By awarding premiums for live stock (other than grade breeding males), for agricultural or horticultural implements and machinery, for the production of grain and of all kinds of vegetables, plants, flowers, fruits, home manufactures, and generally for excellence in any agricultural or horticultural production or operation, article of manufacture or work of art.
- (b) By organizing plowing matches, holding seed fairs, spring stallion and bull shows, competitions respecting standing crops, and for the best or best managed farms.
- (c) By importing or otherwise procuring for the purpose of owning and distributing pure bred registered animals, and seeds and plants of new and of valuable kinds.
- (d) By promoting the circulation of agricultural periodicals.
- (e) By offering prizes for essays on questions of scientific inquiry relating to agriculture, horticulture, domestic industries, manufactures and the useful arts.
- (f) By taking action to eradicate poisonous and noxious insects and weeds.

Unauthorized expenditure to forfeit grant.

(2) Societies that expend any of their funds, no matter how derived, for any purpose inconsistent with those herein mentioned, shall forfeit all claim to the legislative grant.

Annual meetings.

10.—(1) The annual meetings of the several societies shall be held in the third week of January of each year, at the headquarters of the society and at the hour of one o'clock of the afternoon. At any such meeting only those who have paid their subscription for the ensuing year shall be entitled to vote.

Notice of meetings,

(2) At least two weeks' previous notice of any such meeting shall be given by advertisement in one or more newspapers published in the municipality or municipalities in which the society is organized, and also by printed placards or bills posted in places of common resort, or by sending the same by registered letter, mailed to the last known post office address of each member of the society in good standing, such notices to be mailed at least one week previous, and to state time and place of meeting.

When meeting not held at appointed time.

(3) In case any society shall, through any cause, fail to hold its annual meeting at the time appointed, the Minister, on petition of the president and secretary, may appoint a time for holding the same before the first day of March in the same year, the meeting to be called as for the regular annual meeting, and this meeting in all particulars shall be taken as the annual meeting of the society.

Forfeiture of grant if meeting not held,

(4) In the event of the annual meeting not being held as provided for in this Act, or in the event of the number of members on the first day of September in any year being less than the number required for organization, the society shall not be entitled to receive any further financial aid from the Legislature of the Province, and shall be deemed to have dissolved, but the directors elected at the last properly constituted meeting of the society prior to the said first day of September shall be deemed to be the trustees

of the assets of the society until the same are disposed of by the order of the Minister.

(5) In the case of any society being dissolved or ceasing to exist it can be re-organized only by proceeding under section 7 of this Act and in accordance with section 6. Reorganization.

(6) Upon being notified or becoming aware of the dissolution of any society under the provisions of the preceding subsection the Minister may order the directors to deliver over to the Department the assets, if any, remaining after all just debts have been paid. Surplus assets to be delivered to Department on dissolution

11. In addition to any other business the following business shall be transacted at the annual meeting: Business at annual meeting.

- (a) The board of directors shall present at such meeting a report of their proceedings for the past calendar year, in which shall be stated the names of all the members of the society, the amount paid by each being set opposite to his name, the amount offered and also the amount awarded in prizes for each kind of live stock, agricultural products, implements, domestic products or other objects respectively, and the number of entries in each class, together with such remarks and suggestions upon the agriculture and horticulture of the district, and the arts and manufactures therein as they are enabled to offer; Report of directors.
- (b) The board of directors shall present a detailed statement of the receipts and expenditures for the preceding year, also a statement of the assets and liabilities of the society at the end of the year, certified to by the auditors; Statement of receipts and expenditure.
- (c) The officers and other directors specified in clause (g) of section 7, and to be qualified as therein provided, shall be elected by the members, and auditors shall be appointed for the ensuing year. Election of officers.

12. The said reports shall, if approved by the meeting, be placed on permanent record in the books of the society, and shall also be sent within one month to the Department, and the Minister may require all such reports to be made out on schedules to be supplied by the Department in such forms as he may direct. Failure to comply with these requirements shall be sufficient to forfeit all claim, on the part of the society, to participation in the legislative grant. Reports to be recorded and filed.

13.—(a) The members of each society may, at an annual meeting or at a special meeting, of which two weeks' previous notice has been given by advertisement in the manner required by subsection 2 of section 10, make, alter, and repeal by-laws and regulations for the general management of the society; subject to these by-laws and regulations, the board of directors shall have full power to act for and in behalf of the society, and all grants and other funds of the society shall be received and expended under their direction. By laws and regulations.

(b) On petition of thirty members of any society, the secretary shall call a special meeting of the society for the consideration of such matters as may be set forth in the Special meetings.

petition, the meeting to be advertised as set forth in subsection 2 of section 10, and the advertisements to set forth the nature of the business to be transacted.

Meetings of
board of
directors.

14. The first meeting of the board of directors of a society may be held upon the day of the annual meeting, and the subsequent meetings shall be held pursuant to adjournment or be called by written notice given by authority of the president, or, in his absence, of the first vice-president, or, in the absence or on the neglect of the president or vice-president, then on the written request of any three of the directors, at least one week before the day appointed, and at any meeting five shall be a quorum.

Societies to be
bodies cor-
porate.

15.—(1) All societies, now or hereafter organized, shall be bodies corporate, with power to acquire and hold land as a site for fairs and exhibitions and, subject to the approval of a meeting of the society called for the purpose, to sell, mortgage, lease, or otherwise dispose of the same, or any other property held by such societies.

Notice of meet-
ings to consider
disposition of
property.

(2) At least two weeks' previous notice of such meeting shall be given by advertisement in one or more newspapers published in the county or district and by printed placard; and at such meeting only those persons shall be entitled to vote who are members for the current year and who were members for the two previous years.

Acquiring site,
arbitration to
fix price.

(3)—(a) If the owner of the land selected as a site for fairs and exhibitions approved of at a meeting of the society called for that purpose, refuses to sell the same or demands therefor a price deemed unreasonable by the board of directors then such owner and such board of directors shall each forthwith appoint an arbitrator, and the arbitrators so chosen shall appoint a third arbitrator, and such arbitrators or a majority of them shall appraise the damages for such land.

Appointment
of arbitrators.

(b) If the directors or the owner of such land selected as a site for fairs and exhibitions, shall neglect or refuse to appoint an arbitrator, the senior county judge of the county in which the district lies may appoint an arbitrator on behalf of the party so neglecting or refusing to appoint an arbitrator as aforesaid.

Powers of
arbitrators.

(c) The arbitrators so chosen shall have the power to hear and determine all claims or rights of encumbrances, lessees, tenants or other persons as well as those of the owner of the land required for the purpose of such site for fairs and exhibitions, upon notice in writing to every such claimant or person.

Payment of
compensation.

(d) Upon payment of the amount of damages appraised by a majority of the arbitrators appointed as aforesaid, to the owner or other person entitled thereto by the directors, the land may be taken and used for the purposes aforesaid.

Award to be
title to
property.

(e) Any award for a site for fairs and exhibitions made and published under this Act, if there be no conveyance shall be deemed thereafter to be the title of the society to the land mentioned in it, and shall be a good title thereto against all persons interested in the property

in any manner whatever, and shall be registered in the proper registry office, on the affidavit of the secretary and treasurer or secretary-treasurer of the directors verifying the same.

(f) The parties concerned in all such disputes shall pay all the expenses incurred in them, according to the award or decision of the arbitrators or a majority of them. Expenses of arbitration.

(4) The provisions of the foregoing subsections shall be exercised only after consent in that behalf shall have been obtained from the Lieutenant-Governor in Council by Order-in-Council. Consent of Lieutenant-Governor to arbitration proceedings.

16. Any township society and town or village municipality that had, prior to the 4th day of March, 1868, jointly purchased and held any lands or buildings for the purpose of agricultural fairs or exhibitions, may continue jointly to hold such lands or buildings, or may sell, mortgage, lease or otherwise dispose of the same subject to the approval of a meeting of the society as provided in section 15. Joint Ownership of fair grounds and buildings.

17. Where two or more municipalities have been united under the provisions of any former Agriculture and Arts Act to form a township society, a dissolution of such union society may be effected in the following manner: a petition requesting a dissolution and the organization of new societies shall be signed by a majority of the members residing in any one of the municipalities and shall be forwarded to the Minister, and if the number so signing is equal to the number required for the organization of a new society as in section 7, the Minister shall direct that new societies shall be organized in the manner prescribed in section 7, and the former union society shall thereupon become dissolved and shall cease to exist. Dissolution of union societies.

18. On the dissolution of a union society the assets of the said society shall be equitably apportioned or divided by arbitrators, or a majority of them, one to be appointed by the board of directors of each of the new societies, and another arbitrator to be chosen by the arbitrator so appointed, or in the event of the said arbitrators failing to choose such arbitrator within ten days after being appointed, then the senior county judge or the stipendiary magistrate having jurisdiction in the district shall appoint such arbitrator. In case of disagreement the matter shall be referred to the senior county judge of the county or the stipendiary magistrate, for final decision. Disposition of assets on dissolution.

19.—(1) On or before the first day of March of each year, the officers of every society shall send to the Department an affidavit, sworn to before any justice of the peace, in the form of Schedule B, annexed to this Act, stating on forms to be provided by the Department, the exact financial transactions of the society during the previous years. This statement shall set forth plainly the number of members in good standing that belong to the society. This statement shall also give the amount of moneys that were paid in prizes for horses, cattle, sheep, swine, poultry, articles of domestic manufacture, other products of the farm, orchard and garden and that were expended for such other purposes as are set forth in section 9 of this Act. If a spring stallion show, a spring bull show, or a combined spring stallion and bull show has been held, or a spring seed fair, such statement shall set forth separ- Annual returns to Department.

ately and shall show plainly the number of entries, and the amounts expended in prizes. Such moneys shall be considered as having been expended for agricultural purposes.

(2) Any society failing to send in this statement within thirty days shall forfeit all claim to a grant for the current year.

Failure to send
in return.

Grants of
Provincial
funds.

20. Every society organized under or recognized by this Act, shall be entitled to receive a grant out of the unappropriated moneys in the hands of the Treasurer of the Province, the grant to be paid on the recommendation of the Department, and upon the following conditions:

- (a) That the number of paid-up members for the current year is not less than sixty, except in the case of societies organized in judicial districts or unorganized counties, when the number of paid-up members must not be less than forty.
- (b) That all reports and returns required by this Act have been made to the satisfaction of the Minister.
- (c) That the annual meeting has been held as required and officers elected, in accordance with section 11.
- (d) That the objects of the said society as given in section 9, have been strictly adhered to, and that none of the funds of the society, from whatever source derived, have been expended in any manner not in harmony with these objects.

21. Such amounts as may be voted by the Legislature of the Province shall be paid to the societies on the following basis:

Division of
Provincial
grant.

- (a) Societies that have owned and maintained pure bred stock, for the benefit of their members, for a period of at least nine months during the preceding year, shall receive a grant of \$50 for every registered stallion, \$20 for every registered bull, \$10 for every registered boar, and \$5 for every registered ram so owned, and a special membership grant of one dollar for every member of the society in good standing, up to fifty.
- (b) Societies that hold a spring stallion show, a spring bull show, or a combined spring stallion and bull show, shall receive a grant equal to one-half the sum expended in the holding of such show, but such sum shall not exceed fifty dollars.
- (c) Societies that hold a spring seed fair shall receive a grant equal to one-half the sum expended in the holding of such fair, such sum not to exceed twenty-five dollars.
- (d) Newly organized societies, the first three years of their existence, shall receive a grant each year equal to one dollar per member up to 600 members, except in the case of societies organized in judicial districts and unorganized counties, where the grant shall be equal to two dollars per member.
- (e).—(i) The remainder of the grant voted for agricultural societies shall be divided among the societies of the Province, other than new societies, in proportion to the amount they expended during the preceding three years, for agricultural purposes, as shown by their sworn

statements, and as defined in section 19 of this Act, and there shall not be included in such expenditure moneys used for the purchase or maintenance of pure bred stock, for the holding of spring stallion shows, spring bull shows, or combined spring stallion and bull shows or for spring seed fairs.

(ii) Societies in judicial districts and unorganized counties shall be entitled to receive their grants on the basis of double their actual expenditure for agricultural purposes.

(f) A society shall not be entitled to receive a total grant exceeding \$800.

(g) Should it be found, within one year after the receipt, by the Department, of a society's annual statement, that an officer or officers of the society, had wilfully made false returns, with an intention to deceive, such officer, or officers shall be liable, upon summary conviction before a justice of the peace, to a fine not exceeding \$100 or imprisonment in the common goal of the county for a period not exceeding thirty days.

22.—(1) It shall not be lawful to carry on any horse-racing other than trials of speed under the control and regulation of the officers of the society during the days appointed for holding any exhibition by any society, at the place of holding the exhibition or within five miles thereof. Horseracing prohibited.

(2) Any person who is guilty of a violation of this section shall be liable, upon summary conviction before a justice of the peace, to a fine not exceeding \$50, or imprisonment in the common gaol of the county for a period not exceeding thirty days. Penalty.

(3) In case any person is convicted under this section, the society thus proven to have permitted horse-racing shall be debarred from receiving any portion of the legislative grant in the next ensuing year. Society to forfeit grant.

(4) Prosecution under this section of the Act may be made only upon the information being laid by a person who is a member of the society for the current year and who also was a member of the society in the previous year. Prosecutions for horse-racing.

23.—(1) The exhibition of any society shall be held at the point designated as the headquarters of the society. Exhibitions.

(2) Whenever the members of any society have by by-law or resolution fixed upon a place as the headquarters of the society, or upon any place or place for holding the exhibition or exhibitions of such society for any year or years, then the place or places so designated shall not be changed to any place within 20 miles of the headquarters of an existing society, but it may be changed to any place not within such radius upon the decision of a majority of the qualified voters as follows:—

(a) A special meeting shall be called by the board of directors, or by thirty members as provided in subsection (b) of section 13, for the expressed purpose of considering the question. Changing headquarters of Society.

(b) At least two weeks' notice of such meeting shall be given by advertisement as in subsection 2 of section 10.

- (c) Only paid-up members for the current year who were also members in the previous year shall be qualified to vote.
- (d) The meeting shall be called for ten o'clock in the forenoon, and if a poll is demanded it shall be opened at once and remain open until six o'clock, except that it may be closed by the presiding officer of the society if at any time one hour elapses without any vote being polled.

Place of exhibition to have necessary accommodation.
Power to withhold prizes when fraud shown.

24. The exhibitions of any society shall be held at such place only as shall afford sufficient accommodation for such exhibitions.

25. The board of directors of any association or society organized under this Act, on being made aware of any fraud having been committed by any member or exhibitor in the entry of any stock or goods in competition for prizes at any exhibition, shall have the power of withholding the payment of any prizes that may have been awarded by the judges to such members or exhibitors, on such fraudulent or any other entries made at any such exhibition.

KEEPING THE PEACE, ETC., AT EXHIBITIONS.

Appointment of constables.

26. Any justice of the peace having jurisdiction in any city, town, village or township, wherein a fair or exhibition is or is to be held, shall, on the request of the president or executive committee of any agricultural society, appoint as many policemen or constables as may be required, at the expense of such society, said policemen or constables to be named by such society, whose duty it shall be to protect the property of such society within the exhibition grounds, and to eject all persons who may be improperly within the grounds, or who may behave in a disorderly manner, or otherwise violate any of the rules or regulations of such society.

Interfering with officers.

27. If any person wilfully hinders or obstructs the officers or servants of any agricultural society in execution of their duty, or gains admission to the said grounds contrary to the rules of such society, he shall be liable to a fine of not less than \$1 nor more than \$20; such fine to be enforced and collected as fines are usually collected, and to be paid over to such society for its use and benefit; and in default of payment the said offender shall be imprisoned in the common gaol for a period of not more than thirty days.

Prohibiting certain shows and performances, etc.

28.—(1) The officers of any such society may by their rules and regulations prohibit and prevent all kinds of theatrical or circus or acrobatic performances, exhibitions or shows, and may also regulate or prevent the huckstering or trafficking in fruits, goods, wares or merchandise on the exhibition grounds, or within 300 yards thereof; and any person who, after due notice of such rules and regulations, violates the same shall be liable to be removed by the officers, policemen or constables of said society, and be subject to the penalty prescribed by the next preceding section.

Duty as to preventing improper shows.

(2) The officers of any such society shall prevent all immoral or indecent shows and all kinds of gambling and all games of chance, including wheels of fortune, dice games, pools, coin tables,

draw lotteries or other illegal games at the place of holding the exhibition or fair, or within 300 yards thereof, and any association or society permitting the same shall forfeit all claim to any legislative grant during the year next ensuing.

(3) The officers of any such board shall not allow any person to exhibit either publicly or to any individual any gambling device or to bring any such gambling device into the buildings or upon the grounds in or upon which the exhibition or fair is being held. Gambling devices.

(4) No person shall carry on, or assist, or aid in carrying on any kind of gambling, or any game of chance, at any agricultural, live stock, or industrial exhibition or fair, or within half a mile thereof. Gambling prohibited.

(5) It shall not be lawful to sell or to have for sale on any exhibition ground during the time of holding an exhibition any wine, beer or spirituous liquors, and any society permitting the same shall forfeit all claim to any grant during the next ensuing year. Sale of Liquor on grounds prohibited.

(6) Any person violating the provisions of this section shall be liable on summary conviction to a fine of not less than \$20 besides costs, and not more than \$100 besides costs. Penalty.

(7) This section shall apply to all exhibitions held by societies coming within the above mentioned classes whether incorporated under the said Act or not. Application of section.

29.—(1) Any Dominion or Provincial constable shall have the right of free entrance to the grounds and to all the buildings on the grounds where a fair or exhibition is being held under the direction of any society or association to which this Act applies, during the time that the fair or exhibition is being held. Powers of Dominion and Provincial Constables.

(2) Any constable or other peace officer may, without warning or notice, immediately seize all devices and instruments used by any person in connection with any kind of gambling or games of chance or immoral or indecent side show, and may arrest such person without warrant and take him before the nearest magistrate having jurisdiction, there to be dealt with according to law, and every such device or instrument after the conviction of the person concerned, shall be destroyed under the direction of the magistrate before whom the case is tried. Seizing and confiscating gambling devices, etc.

GENERAL PROVISIONS AS TO ELECTIONS.

30. All persons not under eighteen years of age who have paid the membership subscription for the year then next ensuing to any society to which this Act applies, shall have the right of voting at the election of officers, and on all other questions submitted to the annual meetings of such societies. Who may vote at meeting.

31. No membership subscription for the ensuing year paid after the president or presiding officer has declared the poll open for the election of officers shall entitle any member to vote for such officers, nor shall any votes be received earlier than one o'clock in the afternoon nor later than six o'clock in the afternoon of the same day. When votes may not be received.

32. Except as otherwise provided, a vacancy occurring by the death or resignation of any officer of an agricultural society organized under this Act may be filled by the remaining officers thereof; Vacancies in offices.

and it shall be the duty of such officers, and they are hereby empowered to nominate and appoint a fit and proper person to fill the office for the unexpired term of the person so dying or resigning; but in the event of the remaining officers being insufficient to form a quorum, or if for any reason a quorum cannot be obtained, then persons to fill the vacant offices shall be elected in manner provided in the next section.

Failure to elect.

33.—(1) In the event of an election of any officers of a society coming within the provisions of this Act not being held at the time or place herein directed, or being for any reason illegal and void, then the persons in office at the time when such officers should have been elected shall continue to be, and shall be deemed to be, the officers of such society until their successors are legally appointed.

Special meetings for elections.

(2) In the event of any such non-election or illegal election, a special meeting of the members of such society shall be called as soon as practicable for the election of such officers; such meeting to be called (in the manner provided in subsection 2 of section 10) by the president, or, in his absence or on his neglect, by the vice-president, or in the absence or on his neglect of the president and vice-president, then by any three members of the society or other body; and at such meeting the election of officers shall take place, and the persons elected shall thenceforth, until their successors are appointed, be and be deemed to be the officers of such society.

MEETINGS OF DIRECTORS.

Special meeting of directors.

34. A special meeting of the directors of any society organized under this Act may be called by the president thereof, or, in his absence or on his neglect, by the vice-president, or, in the absence or on the neglect of the president or vice-president, then by any three members of such body, of which meeting at least seven days' notice shall be given to each member; and, except as otherwise provided for, a majority of the directors of any such body shall be a quorum.

SECURITY BY TREASURER.

Security by treasurer of society.

35.—(1) The treasurer of every society organized under this Act before entering upon the duties of his office shall give such security, either by joint or several covenant with one or more sureties, which may be in such form as the board of directors or other managing officers may deem necessary, for the faithful performance of his duties, and especially for the duly accounting for and paying over all moneys which may come into his hands.

Duty of board as to society.

(2) It shall be the duty of every such board in each and every year to inquire into the sufficiency of the security given by such treasurer and report thereon; and where the same treasurer for any society is re-appointed from year to year, his re-appointment shall not be considered as a new term of office, but as a continuation of the former appointment, and any bond or security given to the society for the faithful performance of his duties under such re-appointment shall continue valid as against the parties thereto.

(3) Where the officers of a society neglect to obtain proper security they shall become personally responsible for all funds of the society in the possession of the treasurer. Personal responsibility for loss.

MUNICIPAL AID TO AGRICULTURAL AND OTHER SOCIETIES.

36.—(1) The municipal council of any city, town, village, county or township in this Province may grant or loan money or grant land in aid of any agricultural society formed within the limits of the municipality, or partly within the limits of such municipality and partly within the limits of other municipalities, or wholly within the limits of an adjoining municipality, when such society has made the returns required by this Act to be made to the Minister, provided always that the total amount or value of the money or land heretofore or hereafter granted or loaned by any municipality to an agricultural society under this section shall not exceed, in the case of a city, \$3,000, in the case of a town, \$2,000, and in the case of a village, \$1,000. Grants from municipal councils.

(2) If such grant is a loan of money to enable the society to acquire lands, such municipality may hold the lands so acquired or may take a mortgage thereon, as security for the amount of such grant until the amount of such grant be repaid to the municipality; and any such grant heretofore made in accordance with the provisions of this Act shall be legal and valid. Security for loans from municipalities.

(3) Any of the said municipalities owning lands or buildings for public purposes shall have the power to make agreements on such terms and for such periods as they may deem expedient with any company now formed, or hereafter to be formed, under the provisions of chapter 196 of the Revised Statutes of Ontario, 1897, or of any amendment that may be made thereto, or with any agricultural society for the use of such lands or buildings, or either of them, or for the privilege of erecting on said lands (subject to such terms as may be agreed on) such buildings as they may require for agricultural or industrial shows, and to give the said companies the power of renting said grounds and buildings when owned by said company to any agricultural society formed under this Act or any amendment thereto, to and for the purposes of the annual show or shows of said society, and to grant to such company or society the power to collect during said show, or at other times, as may be agreed, from any person wishing to go into or upon and such grounds or buildings, or for any privileges thereon, or for any carriage, wagon or other vehicle, or for any horse or other animal that may be taken thereon, such entrance fee or other charge as the said company or society may deem necessary or expedient. Agreements as to use of buildings.

37. In addition to the amount divided under section 21 of this Act, a sum not exceeding (\$5,000) five thousand dollars shall be subject to division among The Industrial Exhibition Association of Toronto; The Central Canada Exhibition Association of Ottawa. and The Western Fair Association of London, in proportion to the amount of moneys expended for agricultural purposes as set forth in section 9 of this Act, provided that not more than \$2,500 be paid to any one society, upon the following conditions: Special aid from Province to certain exhibitions.

(a) That returns similar to those required in sections 11 and 19 have been made to the Minister;

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48. It is hereby declared that the Societies formerly known as The North Norfolk District Agricultural Society and The South Norfolk District Agricultural Society which were regularly constituted under the former *Agriculture and Arts Act* are now united in the Society known as The Norfolk County Agricultural Society, and that all the real and personal property, assets, rights and interests of the said North Norfolk District Agricultural Society and The South Norfolk District Agricultural Society are hereby transferred to and vested in the said Norfolk County Agricultural Society, and the said Norfolk County Agricultural Society is declared to be a Society incorporated under and subject to the provisions of *The Agricultural Societies Act*.

North Norfolk
and South Nor-
folk District
Agricultural
Society.

49. The Springfield Horticultural Society which, under the former *Agriculture and Arts Act*, was a body corporate with power to acquire and hold land as a site for fairs and exhibitions, and to sell, mortgage, lease, or dispose of the same, is hereby given power to sell or dispose of its land and other property upon such terms and conditions as may be approved by the Minister of Agriculture.

Springfield
Horticultural
Society,

SCHEDULE "A."

(Section 7.)

DECLARATION OF ASSOCIATION.

We, whose names are subscribed hereto, agree to form ourselves into a society, under the provisions of *The Agricultural Societies Act*, to be called the agricultural society of (designating the point that the Department will be asked to recognize as the headquarters of the society), and we hereby severally agree to pay to the treasurer the sums opposite our respective names; and we further agree to conform to the by-laws and rules of the said society.

Names

\$ cts.

SCHEDULE "B."

(Section 19.)

AFFIDAVIT AS TO MEMBERSHIP AND PAYMENTS FOR AGRICULTURAL PURPOSES.

I, _____ of _____, treasurer of the _____ Agricultural Society, make oath and say that during the year ending 31st day of December, 19____, the said Agricultural Society expended the sum of _____ dollars, solely for agricultural purposes, as set forth in the audited financial statement of the society; and,

That the number of members of the said society for the present year is _____

Sworn before me this _____ day _____ of _____ 19____
Justice of the Peace for
the County of _____

Treasurer.

or a Commissioner in H.C.J.

SCHEDULE "C."

(Section 23.)

Know all men by these presents that we, A. B., treasurer of the _____ society, in the County of _____, Esquire, and C. D., of the _____

of _____ in the County of _____, gentleman, (if more than one surety is required, insert here the names of the others in like manner), do hereby jointly and severally, for ourselves and for each of our heirs, executors and administrators, covenant and promise that the said A. B., as treasurer of the _____ society (or association) shall well and truly account for and pay over to the _____ society, or the person or persons entitled to the same, all moneys which he shall receive by virtue of his said office of treasurer, and that he will faithfully perform the duties of his said office.

Nevertheless it is hereby declared that no greater sum shall be recovered under this covenant against the several parties hereto than as follows, that is to say: against the said A. B. in the whole of \$ _____ (the amount fixed by the board of directors) against the said C. D. \$ _____ (the amount fixed by the board of directors), and if more sureties were required by the board, here add the names and amounts in like manner.

In witness whereof we have set our hands and seals to these presents, this day of _____ A. D. 19 ____.

Signed, sealed and delivered
in the presence of
(Signature)

A. B.
C. D.

An Act respecting Horticultural Societies.

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Horticultural Societies Act*. Short title,
2. In the construction of this Act Interpretation.
 - (a) "Department" shall mean The Department of Agriculture. "Department."
 - (b) "Minister" shall mean the Minister of Agriculture for the Province of Ontario. "Minister."
 - (c) "Superintendent" shall mean the Superintendent of Horticultural Societies. "Superintendent."
 - (d) "Society" shall mean any Horticultural Society organized under this Act or under any former Agriculture and Arts Act. "Society."
3. All horticultural societies organized under *The Agriculture and Arts Act* shall be continued, except in so far as they may be affected by this Act. "Societies continued."
4. The Minister may decide all matters of doubt or dispute as to the working or construction of this Act, and his decision shall be final except that an appeal therefrom may be made to the Lieutenant-Governor in Council. Minister to decide disputes.
5. The Minister may appoint any person or persons to inspect the books and accounts of any society receiving Government aid, under or by virtue of this Act, and may empower such person or persons to summon witnesses and enforce the production of documents before him, and to take evidence upon oath in regard to such inspection; and all officials of any such society whenever required to do so shall submit the books and accounts thereof to such inspection, and shall truly, to the best of their knowledge, answer all questions put to them in relation thereto, or to the funds of such society. Inspection of books and accounts.

HORTICULTURAL SOCIETIES.

6. A horticultural Society may be hereafter organized in any city, town or incorporated village. Organization.
7. The mode of organization shall be as follows: Declaration of Membership.
 - (a) A declaration, in the form of Schedule "A" to this Act, shall be signed by those persons (residents of the municipality in which the society is organized) desiring to organize a society under this Act. In the case of a city having a population of 30,000 or over the number of such person shall be at least 125; in the case of a city with a population of less than 30,000 the number shall be at least 75. Societies organized in towns having a population of 2,000 or over, shall have at least 60 members, and in the case of an incorporated village the number shall be at least 50.

Qualification
of members.

- (b) No person shall be considered a member of any horticultural society for any year unless he shall have paid at least one dollar into the funds of that society as membership fee for that year.

Firms and
companies.

- (c) Subject to the by-laws of the society, a firm or an incorporated company may become a member of any society, organized under this Act, or any former Agriculture and Arts Act, by the payment of the regular fee, but the name of one person only, in any one year, shall be entered as the representative or agent of any firm or company, and that person only shall exercise the privileges of membership in the society or organization.

Calling first
meeting.

- (d) Within one month after the money has been so paid the said declaration, with the names and addresses of the signers of same, shall be transmitted to the Minister, who shall thereupon instruct the Superintendent to authorize a person to call the first meeting for the organization of the society.

When meeting
to be held.

- (e) The first meeting of the horticultural society shall be held during the second week in January next ensuing, of which meeting at least two weeks' public notice shall be given by advertising in one or more newspapers published in the district.

Quorum.

- (f) At the said first meeting, and at any subsequent meetings of any horticultural society, ten members shall constitute a quorum.

Election of
first officers.

- (g) At the said first meeting there shall be elected a president, a first vice-president, a second vice-president, and not more than nine other directors, all of whom must be members of the society, in good standing, or who must become so within fourteen days after their election, who, together shall form the board of directors, a majority of which board shall reside in the municipality in which the society is organized. At the said first meeting the society shall appoint two auditors for the ensuing year.

Secretary-
Treasurer.

- (h) The board of directors, from among themselves or otherwise, shall appoint a secretary and a treasurer, or a secretary-treasurer, who shall remain in office during pleasure. The secretary or the secretary-treasurer, by virtue of his office, shall be a member of each committee appointed and may be given the power of managing director, acting under the control, and with the approval of the board of directors.

Report of first
meeting.

- (i) A report of the organization meeting, certified by the president, a first vice-president, a second vice-president, the secretary and the convener, and containing a statement of the number of members and a list of the officers elected and appointed, shall be sent to the Department within one week after the holding of the meeting.

Receipt of
report to
complete
organization.

8. Upon the receipt of such report the society so organized shall be deemed a horticultural society, and each society so organized shall be entitled to participate in the legislative grant

hereinafter provided, and to enjoy all the privileges granted by this Act.

9.—(1) The objects of horticultural societies shall be to encourage improvement in horticulture: Objects of societies.

- (a) By holding meetings for discussion and for hearing lectures on subjects connected with the theory and practice of improved horticulture.
- (b) By holding exhibitions and awarding premiums for the production of vegetables, plants, flowers, fruits, trees and shrubs.
- (c) By the distribution of seeds, plants, bulbs, flowers, shrubs and trees in ways calculated to create an interest in horticulture.
- (d) By promoting the circulation of horticultural periodicals.
- (e) By encouraging the improvement of home and public grounds, by the planting of trees, shrubs and flowers, and by otherwise promoting outdoor art and public beauty.
- (f) By offering prizes for essays on questions relating to horticulture.
- (g) By importing and otherwise procuring and distributing seeds, plants, shrubs, and trees of new and of valuable kinds.

(2) A society shall not expend more than one-half of its total receipts in any one of the lines of work mentioned. No society shall hold an exhibition, or offer premiums, in connection with the exhibition of any agricultural society or societies. In the above calculation grants or donations for any specific purpose shall not be considered. Expenditure on work.

(3) None of the funds of any such society, however derived, shall be expended for any purpose inconsistent with those mentioned. Societies violating any of the provisions of this and the preceding subsection shall forfeit all claim to the Government grant. Funds not to be expended in.

10.—(1) The annual meetings of societies shall be held during the first week in November in each year at such time and place, as the board of directors may determine. At any such meeting those members only who have paid their subscriptions for the ensuing year shall be entitled to vote. Annual meetings.

(2) At least two weeks' previous notice of any such meeting shall be given by advertisement in one or more newspapers published in the municipality, and also, by printed placards or bills posted in places of common resort, or by sending the same by registered letter mailed to the last known post office address of each member of the society in good standing; such notices to be mailed at least one week previous, and to state time and place of meeting. Notice of meetings.

(3) In case any society shall, through any cause, fail to hold its annual meeting during the first week in November, the Minister, on petition of twenty members, may appoint a time for holding the same not later than the 31st day of December in the same year, the meeting to be called as for the regular annual meeting, and this meeting in all particulars shall be taken as the annual meeting of the society. Failure to hold meeting at regular time.

Dissolution of society if meeting not held.

(4) In the event of the annual meeting not being held as provided for in this Act, or in the event of the number of the members on the first day of July in any year being less than the number required for organization, the society shall not be entitled to receive any further financial aid from the Legislature of the Province, and shall be deemed to have been dissolved, but the directors elected at the last properly constituted meeting of the society prior to the said first day of July, shall be trustees of the assets of the society until the same are disposed of by order of the Minister.

Delivery over of assets to department on dissolution.

(5) Upon being notified or becoming aware of the dissolution of any society under the provisions of the preceding subsection, the Superintendent may order the directors to deliver over to the Department the assets, if any remaining after all just debts have been paid.

Annual report.

11.—(a) The board of directors shall present at such meeting a report of their proceedings for the past calendar year, in which shall be stated the names of all the members of the society, the amount of money expended in each of the lines of work open to horticultural societies, as outlined in section 9 of this Act. When an exhibition or exhibitions have been held and premiums awarded the report shall show the total amount offered in prizes at each, the amount paid in prizes, and the number of entries.

Detailed statement of accounts.

(b) The board of directors shall present a detailed statement of the receipts and expenditures for the preceding year, also a statement of the assets and liabilities of the society, at the end of the year, certified to by the auditors.

Election of officers.

(c) The officers and other directors specified in clause (f) of section 7, and to be qualified as therein provided, shall be elected by the members, and auditors shall be appointed for the ensuing year.

Reports to be placed on record.

12. The said reports shall, if approved by the meeting, be placed on permanent record in the books of the society, and shall be sent not later than the first day of February to the Department, and the Minister may require all such reports to be made out on schedules to be supplied by the Department in such form as he may direct. Failure on the part of the society to comply with these requirements shall be sufficient to forfeit all claim to participation in the legislative grant.

Minister may require verification of report.

(a) The Minister may require that any of the statements referred to in the above reports shall be attested by affidavit in such form as he may prescribe.

By-laws.

13. The members of each society may, at any annual meeting, or at a special meeting, of which two weeks' previous notice has been given in the manner required by subsection 2 of section 10, make, alter and repeal by-laws and regulations for the general management of the society; subject to these by-laws and regulations the board of directors shall have power to act for and in behalf of the society, and all grants and other funds of the society shall be received and expended under their direction.

14. The first meeting of the board of directors of a society may be held on the day of the annual meeting, and the subsequent meetings may be held pursuant to adjournment, or be called by written notice given by authority of the president, or in his absence of the first vice-president, or in the absence or neglect of the president, or vice-president, then on the written notice of three of the directors, at least one week before the day appointed, and at any meeting five shall be a quorum.

Meetings of
Directors.

15. Where two or more municipalities have been united under the provisions of any former Act, to form a horticultural society, a dissolution of such union society may be effected in the following manner: A petition requesting the dissolution and the organization of new societies shall be signed by a majority of the members residing in any one of the municipalities, and shall be forwarded to the Minister, and if the number so signing is equal to the number required for the organization of a new society as in section 7, the Minister shall direct that new societies shall be organized in the manner prescribed in section 7, and the former union society shall thereupon become dissolved and shall cease to exist.

Dissolution of
Union societies

16. On the dissolution of a union society the assets of the said society shall be equitably apportioned or divided by arbitrators, or a majority of them, one to be appointed by the board of directors of each of the new societies, and another arbitrator to be chosen by the arbitrators so appointed, or, in the event of the said arbitrators failing to choose such arbitrator within ten days after being appointed, then the senior county judge or the stipendiary magistrate having jurisdiction in the district shall appoint such arbitrator. In case of disagreement the matter shall be referred to the senior judge of the county or the stipendiary magistrate for final decision.

Distribution of
assets on
dissolution.

17. On or before the first day of July of each year the officers of every society shall send to the Department an affidavit that may be sworn to before any Justice of the Peace or Commissioner for taking oaths, stating the number of members in good standing at the time of making the same.

Annual
affidavit as to
number of
members.

(b) Should it be found, within one year after the receipt by the Department of a society's annual statement, that an officer or officers of the society had wilfully made false returns with an intention to deceive, such officer or officers shall be liable upon summary conviction before a justice of the peace, to a fine not exceeding \$100 or less than \$20, or imprisonment in the common gaol of the county for a period not exceeding six months or less than two weeks.

Penalty for
making false
returns.

18. Every horticultural society organized under or recognized by this Act shall be entitled to receive a grant out of the unappropriated moneys in the hands of the treasurer of the Province, the grant to be paid on the recommendation of the Superintendent, and on the following conditions:

Grant out of
Provincial
funds.

(a) That the number of paid-up members for the current year is not less than the number required for organization.

(b) That all reports and returns required by this Act have been made to the satisfaction of the Superintendent.

- (c) That the annual meeting has been held as required, and officers elected, in accordance with section 11.
- (d) That the objects of the said society, as given in section 9, have been strictly adhered to, and that none of the funds of the society, from whatever source derived, have been expended in any manner not in harmony with these subjects.

Provincial
fund in aid of
societies.

19. An amount not exceeding \$8,000 shall be subject to division among the horticultural societies of the Province as follows:

- (a) \$2,400 shall be subject to division among all the societies in proportion to the total number of members of each society in the preceding year.
- (b) \$4,800 shall be subject to division among all the societies in proportion to the total amount expended by each society during the preceding year for horticultural purposes, in accordance with the provisions of section 9.
- (c) In addition to the above, \$800 shall be subject to division among the horticultural societies in cities having a population of 30,000 or over, in proportion to the number of members in the preceding year.
- (d) Societies in the first year of their existence shall receive grants at the rate of one dollar for each paid-up member on the first day of July, said grant not to exceed one hundred dollars.

Exhibitions.

20. The exhibitions of any society shall be held within the limits of the municipality in which the society is organized, and shall be held at such place as shall afford sufficient accommodation for such exhibitions.

Fraud in ob-
taining prizes.

21. The board of directors of any society organized under this Act, on being made aware of any fraud having been committed by any member or exhibitor in the entry of any horticultural product in competition for prizes at any exhibition, shall have the power of withholding the payment of any prizes that may have been awarded by the judges to any members or exhibitors on such fraudulent, or any other entries made at any such exhibition.

Appointment
of constables.

22. Any justice of the peace having jurisdiction in any city, town or village, wherein an exhibition is held, shall on request of the president or executive committee of any horticultural society, appoint as many policemen or constables as may be required at the expense of the said society, whose duty it shall be to protect the property of such society, and to eject all persons who may be improperly within the grounds, or on the premises, or who may behave in a disorderly manner, or otherwise violate any of the rules or regulations of such society.

Interference
with officers.

23. If any person wilfully hinders or obstructs the officers or servants of any horticultural society in the execution of their duty, or gains admittance to the exhibitions of such society contrary to the rules of such society, he shall be liable to a fine of not less than \$1 and not more than \$20, such fine to be enforced and collected as fines are usually collected, and to be paid over to such society for its use and benefit; and in default of payment the said

offender shall be imprisoned in the common gaol for a period of not more than 30 days.

24. All persons, not under eighteen years of age, who have paid the membership subscription for the year then ensuing to any society to which this Act applies, shall have the right of voting at the election of officers, and on all other questions submitted to the annual meetings of such societies. Right to vote at meeting.

25. No membership subscription for the ensuing year paid at the annual meeting after the president or presiding officer has declared the poll open for the election of officers, shall entitle any person to vote for such officers. Subscriptions paid after poll opens.

26. Except as otherwise provided, a vacancy occurring by the death or resignation of any officer of a horticultural society organized under this Act may be filled by the remaining officers thereof; and it shall be the duty of such officers, and they are hereby empowered to nominate and appoint a fit and proper person to fill the office for the unexpired term of the person so dying or resigning; but in the event of the remaining officers being insufficient to form a quorum, or if for any reason a quorum cannot be obtained, then persons to fill the vacant offices shall be elected in manner provided in the next section. Vacancies in office.

27.—(1) In the event of an election of any officers of a society not being held at the time or place herein directed, or being for any reason illegal or void, then the persons in office at the time when such officials should have been elected shall continue to be, and shall be deemed to be, the officers of such society, until their successors are legally appointed. Illegal election.

(2) In the event of any such non-election, or illegal election, a special meeting of the members of such society shall be called, as soon as practicable for the election of such officers, such meeting to be called (in the manner provided in subsection 2 of section 10) by the president, or in his absence or on his neglect by the vice-president, or in the absence or on the neglect of the president and vice-president, then by three members of the society, and at such meeting the election of officers shall take place and the persons elected shall henceforth, until their successors are appointed, be and be deemed to be the officers of such society. Special meeting for election.

28. A special meeting of the directors of any society organized under this Act may be called by the president thereof, or in his absence or on his neglect by the vice-president, or in the absence or on the neglect of the president or vice-president, then by any three members of such body, of which meeting at least seven days' notice shall be given to each member; and except as otherwise provided for, a majority of the directors of any such body shall be a quorum. Special meeting of directors.

29.—(1) The treasurer of every society organized under this Act before entering upon the duties of his office, shall give such security either by joint or several covenant with one or more sureties which may be in the form given in Schedule "C" of this Act, or otherwise, as the board of directors, or other managing officers may deem necessary, for the faithful performance of his duties, and especially for the duly accounting for and paying over of all moneys that may come into his hands. Treasurer to give security.

Board to see
that security
given.

(2) It shall be the duty of every such board in each and every year to enquire into the sufficiency of the security given by such treasurer and report thereon; and where the same treasurer for any society is reappointed from year to year his reappointment shall not be considered as a new term of office, but as a continuance of the former appointment, and any such bond or security given to the society for the faithful performance of his duties under such reappointment shall continue valid as against the parties thereto.

Personal
responsibility
of officers.

(3) When the officers of a society neglect to obtain proper security they shall become personally responsible for all funds of the society in the hands of the treasurer.

Municipal
grants in aid
of society.

30. The municipal council of any city, town or village, county or township of this Province, may grant or loan money in aid of any horticultural society formed within the limits of the municipality, when such society has made the returns required by this Act to be made to the Minister.

Repeal of in-
consistent
enactments.

31. All sections of *The Agriculture and Arts Act* referring to horticultural societies are hereby repealed.

Commence-
ment of Act.

32. This Act shall come into force on the first day of February, one thousand nine hundred and seven.

SCHEDULE "A."

(Section 7.)

DECLARATION OF ASSOCIATION.

We, whose names are subscribed hereto, agree to form ourselves into a society, under the provisions of *The Horticultural Societies Act*, to be called the horticultural society of (*naming the point that will be the headquarters of the society*); and we hereby severally agree to pay to the treasurer the sums opposite our respective names; and we further agree to conform to the by-laws and rules of the said society.

Names

\$ cts.

An Act respecting Agricultural Associations.

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Agricultural Associations* Short title.
Act.

2. The word "Association" in this Act shall mean any one of "Association." the organizations referred to in section 3.

The word "Minister" in this Act shall mean the Minister of "Minister." Agriculture.

3. The following association, societies and organizations Certain bodies declared to be corporations. shall be or continue to be bodies corporate under the provisions of this Act:—

The Fruit Growers' Association of Ontario.

The Entomological Society of Ontario.

The Dairymen's Association of Eastern Ontario.

The Dairymen's Association of Western Ontario.

The Western Ontario Poultry Association.

The Eastern Ontario Poultry Association.

The Ontario Bee-Keepers' Association.

The Ontario Agricultural and Experimental Union.

The Dominion Sheep Breeders' Association.

The Dominion Swine Breeders' Association.

The Dominion Cattle Breeders' Association.

The Canadian Horsemen's Association.

The Ontario Horse Breeders' Association.

The Ontario Vegetable Growers' Association.

The Gardeners' and Florists' Association.

58 V., c. 11, s. 30; 59 V., c. 14, s. 9; 60 V., c. 11, s. 3; 63 V., c. 17, s. 6.

(a) The name of the Canadian Horse Breeders' Association, incorporated under *The Agriculture and Arts Act*, is hereby changed to that of The Canadian Horsemen's Association.

4. The membership of each association shall consist of annual Membership. subscribers, and the membership fee shall be decided by by-law.

5. Each of such associations shall have a constitution and by-laws Constitution and by-laws. under which the association shall be conducted, and the constitution and by-laws must be approved by the Minister, and any change, alteration or repeal of the same must be submitted to and approved by the Minister before it shall have force or effect.

6. Each association shall hold an annual meeting Annual meeting. at such time and place as may be determined by by-law.

7. Each association at its annual meeting shall elect a board Election of directors. of directors, the number of directors, their representation of certain districts or classes of members, and their mode of selection being determined by by-law.

8. The members may elect as director a person not a member Director need not be member of association. of the association, but the person so elected must, within ten days, become a member, and he shall be entitled to act as director only after he has become a member of the association.

Statements
at annual
meeting.

9. At each annual meeting the retiring officers shall present a full report of their proceedings, and of the proceedings of the associations, and a detailed statement of the receipts and expenditure for the previous year, and of the assets and liabilities, duly audited; a copy of the said report, a statement of the receipts and expenditure, a statement of the assets and liabilities, a list of the members and a list of the officers elected, and also such general information on matters of special interest to each association that such association has been able to obtain, shall be sent to the Minister within forty days after the holding of such annual meeting. 58 V., c. 11, s. 33.

President and
vice-president.

10. The directors shall, from among themselves, elect a president and one or more vice-presidents.

The directors shall, from among themselves or otherwise, elect a secretary and a treasurer, or a secretary-treasurer.

Power of
officers.

11. The directors shall have full power to act for and on behalf of the association, and all grants of money and other funds of the association shall be received and expended under their direction, subject, nevertheless, to the by-laws and regulations of the association. 58 V., c. 11, s. 32 (2).

AUDIT OF ACCOUNTS.

Auditing of
accounts.

12. The Minister may appoint a person who shall audit the accounts of any of the associations to which this Act applies, and such auditor shall present a report of the result of his audit to the officers of the association and also to the Minister.

GENERAL PROVISIONS AS TO ELECTIONS.

Right of
voting.

13. The members of any association may by by-law provide that only those members who have paid their subscriptions at least one week in advance of the annual meeting shall be qualified to vote at the annual meeting for the election of directors.

Vacancies in
offices.

14. Except as otherwise provided, a vacancy occurring by the death or resignation, or failure to qualify as member, of any officer or director may be filled by the remaining officers thereof; and it shall be the duty of such officers, and they are hereby empowered, to nominate and appoint a fit and proper person to fill the office for the unexpired term of the person so dying or resigning; but in the event of the remaining officers being insufficient to form a quorum, or if, for any reason, a quorum cannot be obtained, then persons to fill the vacant offices shall be elected in manner provided in the next section. 58 V., c. 11, s. 38.

Directors to
continue until
successors
lawfully
elected.

15.—(1) In the event of an election of any directors of any association being held at the time or place directed by by-law or being for any reason illegal and void, then the persons in office at the time when such officers or directors should have been elected shall continue to be, and shall be deemed to be, the officers of such association until their successors are legally appointed.

(2) In the event of any such non-election or illegal election, a special meeting of the members of such association shall be called as soon as practicable for the election of such directors; such meeting to be called (in the manner provided in subsection 2 of section

10) by the president, or, in his absence or on his neglect, by the vice-president, or in the absence or on the neglect of the president and vice-president, then by any three members of the association; and at such meeting the election of officers shall take place, and the persons elected shall thenceforth, until their successors are appointed, be and be deemed to be the officers of such association. 58 V., c. 11, s. 39.

MEETING OF DIRECTORS.

16. A special meeting of the directors of any association organized under this Act may be called by the president, thereof, or, in his absence or on his neglect, by the vice-president, or, in the absence or on the neglect of the president or vice-president, then by any three members of such body, of which meeting at least seven days' notice shall be given to each member; and, except as otherwise provided for, a majority of the directors of any such body shall be a quorum. 58 V., c. 11, s. 40.

SECURITY BY TREASURER.

17.—(1) The treasurer of every association organized under this Act before entering upon the duties of his office shall give such security, either by joint or several covenant with one or more sureties, which may be in the form given in Schedule E to this Act or otherwise, as the board of directors or other managing officers may deem necessary, for the faithful performance of his duties, and especially for the duly accounting for and paying over all moneys which may come into his hands.

(2) It shall be the duty of every such board in each and every year to inquire into the sufficiency of the security given by such treasurer and report thereon; and where the same treasurer for any society is re-appointed from year to year his re-appointment shall not be considered as a new term of office, but as a continuation of the former appointment, and any bond or security given to the society for the faithful performance of his duties under such re-appointment shall continue valid as against the parties thereto. 58, V., c. 11, s. 41.

18. Each of the said associations shall be entitled to receive from unappropriated moneys in the hand of the treasurer of the Province a specified sum to be placed in the estimates and voted by the Legislature for each year on the following conditions:

(a) That the number of *bona fide* members is at least fifty.

(b) That the secretary of each of the said associations shall, on or before the 1st day of September in each year, transmit to the Minister an affidavit, which may be sworn to before any justice of the peace, or Commissioner for taking affidavits, stating the number of members who have paid their subscriptions for the current year, and the total amount of such subscriptions.

(c) That the general provisions of this Act applying to such associations have been complied with.

(d) That none of the funds of the association, from whatever source derived, have been expended in a manner inconsistent with the purposes of organization of the said association.

Forfeiture of
powers for
non-user.

19. If an association cease for twelve consecutive months to do business as required by this Act and by its constitution, by-laws and rules, or if, the Minister is satisfied, after an enquiry at which the association was given due notice to appear, that the business of the association is not being properly conducted, the Minister may declare the corporate powers of the association forfeited.

WINTER FAIRS.

Winter fairs
incorporated.

20. The Ontario Horticultural Exhibition, The Ontario Provincial Winter Fair and the Eastern Ontario Live Stock and Poultry Show shall be corporate bodies under this Act, and the Lieutenant-Governor in Council may provide that the sections of this Act as far as practicable shall apply to these bodies, and may prescribe such constitution, rules and regulations as are deemed necessary.

INCORPORATION OF OTHER ASSOCIATIONS.

Admission of
other societies.

21. Upon the petition of any association not subject to the provision of this Act, but formed for the purpose of advancing the interests of any branch of agriculture, being presented to the Lieutenant-Governor in Council, the Lieutenant-Governor may by Order-in-Council declare that the sections of this Act shall apply to the association or society so petitioning, and thereafter the said sections shall apply to such association or society in the same manner and to the same extent as if it had been incorporated under this Act, and every such Order-in-Council shall be published in "The Ontario Gazette" for two weeks following the date of the passing of such Order-in-Council.

ADVISORY BOARD.

Advisory board
for live stock.

22.—(a) An advisory board for live stock may be formed to advise the Minister regarding matters of interest to the live stock industry. The Lieutenant-Governor may by Order-in-Council direct how the board shall be constituted and may prescribe the duties and powers of the board.

Allowance for
expenses.

(b) Members of the advisory board shall receive an allowance for time attending meetings of the board, or a committee of the board; also the necessary travelling expenses in attending such meetings.

FARMERS' AND WOMEN'S INSTITUTES.

Farmers' and
Women's
Institutes.

23.—(a) The formation of Farmers' Institutes and of Women's Institutes for the purpose of disseminating information in regard to agriculture, and of improving domestic life, shall be permitted under this Act.

(b) The Lieutenant-Governor in Council may, upon recommendation of the Minister, make rules and regulations providing for the number and location of the Farmers' Institutes and

Women's Institutes, for the general guidance and direction of the same, and fixing the grants and conditions upon which the grants are to be paid.

24. All the sections of *The Agriculture and Arts Act* having reference to the associations mentioned in section 3 of this Act and also to Farmers' Institutes are hereby repealed. ^{Repeal of inconsistent enactments,}

